

NOTE: CHANGES MADE BY THE COURT

IN THE UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA
SOUTHERN DIVISION

AFROUZ NIKMANESH, ELVIS ATENCIO, ANNA NGUYEN, AND EFFIE SPENTZOS on behalf of themselves, the general public, and all others similarly situated,

Plaintiffs.

v.

WAL-MART STORES, INC., a
Delaware corporation, and WAL-MART
ASSOCIATES, INC., a Delaware
corporation, and DOES 1 through 10,
inclusive.

Defendants.

Civil Action No.
8:15-cv-00202-AG-JCG

Hon. Andrew J. Guilford

**ORDER EXTENDING DATES BY
60 DAYS TO CONDUCT
MEDIATION AND TIMELY
PROCEED WITH DISCOVERY**

1 The parties having jointly stipulated, and good cause appearing therefor,

2 **IT IS HEREBY ORDERED THAT:**

3 1. The parties complete mediation before July 1, 2016 (that is, prior to
4 the proposed new extended deadline for Plaintiffs to file their Rule 23 Class
5 Certification Motion).

6 2. Regarding Plaintiffs' Motion for Class Certification pursuant to
7 Federal Rule of Civil Procedure 23, pertaining to California-only opt-out class
8 claims (the "Rule 23 Class Certification Motion"):

9 a. Plaintiffs shall file their Rule 23 Class Certification Motion on
10 or before Friday, June 1, 2016 (extended from Friday, April 1,
11 2016).

12 b. Defendants shall file their Opposition to the Rule 23 Class
13 Certification Motion within 35 days of the date that Plaintiffs
14 file their Rule 23 Class Certification Motion—that is, on or
15 before Friday, July 6, 2016.

16 c. Plaintiffs shall file their Reply in support of the Rule 23 Class
17 Certification Motion within 14 days of the date that Defendants
18 file their Opposition to the Rule 23 Class Certification Motion—
19 that is, on or before Friday, July 20, 2016.

20 d. Plaintiffs' Rule 23 Class Certification Motion shall be heard on
21 August 8, 2016 at 10:00 AM

22 3. Other dates also extended by 60 days include:

23 a. The Discovery Cut-off date shall be extended to Tuesday,
24 October 3, 2016.

25 b. Any Motions for Summary Judgment shall be filed on or before
26 Tuesday, October 3, 2016. Identical to the schedules proposed in
27 item 1 above regarding Plaintiffs' motion for certification,

1 Plaintiffs will have 35 days to file an opposition, Defendants
2 will have 14 days to file their reply, and the hearing will be on
3 or after 14 days from the date Defendants files its Reply.

- 4 c. Any Motion to Decertify the FLSA Collective Action and/or
5 Rule 23 Class Action (if applicable – and such motions may be
6 filed separately) shall be filed on or before Tuesday, October 3,
7 2016. Identical to the schedules proposed in items 1 and 2
8 above regarding Plaintiffs' motions for certification, Plaintiffs
9 will have 35 days to file an Opposition, Defendants will have 14
10 days to file their Reply, and the hearing will be on or after 14
11 days from the date Defendants files their Reply.
12 d. Trial is continued from January 10, 2017 to March 7, 2017 at
13 9:00 a.m. The Pretrial Conference is continued from December
14 19, 2016 to February 13, 2017 at 8:30 a.m.
15

16 This is the second request for continuance of the dates in this case.
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18 **NO FURTHER CONTINUANCES WILL BE GRANTED
19 WITHOUT AN EXTRAORDINARY SHOWING OF GOOD
CAUSE AND IT MUST BE BY NOTICED MOTION.**

21 **IT IS SO ORDERED.**

22 DATED: February 19, 2016



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25 Hon. Andrew J. Guilford
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